

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 13, 2002 LB 185

slower train. But somehow we've decided that in the name of safety two crew people for Class I's but only Class I's. They happen to be the unionized railroads in the state of Nebraska. That's the way we got to go. And I think we're being disingenuous, I don't think we're being straightforward, and I do think that this is a management-labor issue, and if I run out of time in this segment, I will share that with you, because we'll talk about how this is going to be enforced.

SPEAKER KRISTENSEN: One minute.

SENATOR BRASHEAR: We'll talk about the capacity of the Public Service Commission with two inspectors to enforce this act as it is charged to do so over 2,766 miles of Class I trackage, two inspectors from the Public Service Commission handling 2,766 miles of trackage. Well, they just won't be able to do it. So what will we rely on? We're going to rely on employees reporting their employer. Does this begin to sound management-labor? Employees reporting their employer, but then the other troublesome part of it is this...this also prohibits the employees...

SPEAKER KRISTENSEN: Time.

SENATOR BRASHEAR: I'll...I'll continue later. Thank you.

SPEAKER KRISTENSEN: Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. This issue is one that my inner being tells me, gosh, I feel warm and fuzzy about requiring two railroad employees, whoever two railroad employees might be, to be in some position on a train crossing the state of Nebraska. And we can pass the bill and we can pat ourselves on the back and say, well, we've really done...did good work, but the truth of the matter is that's all we will have done. We will have accomplished nothing that's enforceable. In the olden times, that is back when I was on Business and Labor Committee, we had a number of bills annually after Congress passed the Railroad Act that preempted...preempted states' authority over railroads, not only I believe railroads that were involved in interstate commerce